

RESPONSE TO OFFICE ACTION

In an Office Action mailed on November 17, 2004, the Office:

1. Acknowledged that claims 1-79 are pending in the Application; and
2. Rejected claims 1-79.

Rejection of claims 1-79.

Claims 1-79 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-79 of U.S. Patent No.: 6,544,616 issued on April 13, 2003.

The Examiner also indicated that the rejection of claims 1-79 could be overcome by the timely filing of a terminal disclaimer in compliance with 37 CFR 1.321(c). Accordingly, the Applicant has enclosed a terminal disclaimer in compliance with 37 CFR 1.321(c) and respectfully requests that this terminal disclaimer be entered into the record and that all pending claims be placed in condition for allowance.

The enclosed a terminal disclaimer includes a showing that the 6,544,616 Patent and the present Application are commonly owned. Accordingly, the Applicant respectfully requests that this terminal disclaimer be entered into the record and that all pending claims be placed in condition for allowance.

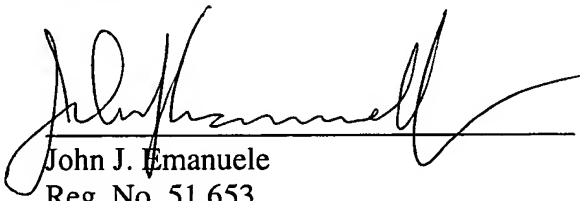
CONCLUSION

In compliance with the Examiner's suggestion, the Applicant has supplied a duly signed and executed Terminal Disclaimer. Accordingly, the Applicant respectfully requests that all pending claims of the Application be placed in allowance.

After a careful review of the attached amended and figures (2, 5, and 6) on replacement sheets 1, 2, 3 and the figures as filed, the Applicant does not believe that the amended Figures on the attached replacement sheets introduces any new matter into the application. Accordingly, the Applicant respectfully requests that the amended Figures be entered into the application.

If the Examiner wishes to address any of the issues raised in this response, the outstanding Office Action mailed on November 17, 2004, or any other issue related to the instant Application, the Examiner is encouraged to contact the undersigned telephonically at the Examiner's earliest convenience.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John J. Emanuele', is written over a horizontal line.

John J. Emanuele

Reg. No. 51,653

Woodard, Emhardt, Moriarty, McNett & Henry LLP
3700 Bank One Center Tower
111 Monument Circle
Indianapolis, IN 46204-5137
(317) 634-3456